

ORIGINAL

EX PARTE OR LATE FILED



AT&T

Richard D. Treich
Senior Vice President
Regulatory Policy & Planning

AT&T Broadband & Internet Services
9197 South Peoria
Englewood, CO 80112
720 875-4914
FAX 720 875-5388
CELLULAR 303 475-2325
EMAIL treich.richard.d@tci.com

March 30, 2000

Deborah Lathen, Esq.
Chief, Cable Services Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

RECEIVED

APR 28 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: AT&T Broadband's 1999 Annual Progress Report on Social Contract

Dear Ms. Lathen:

Enclosed is a copy of AT&T Broadband's 1999 Annual Progress Report as required by Section III.F.3 of the November 30, 1995 Social Contract between Time Warner and the Commission and as assumed by AT&T Broadband¹ to certain cable systems.

As required by the Social Contract, the Progress Report documents AT&T Broadband's progress on the upgrade commitments contained in the Social Contract and is being served on the local franchising authorities.

Sincerely,

Richard D. Treich
Senior Vice President,
Rate and Regulatory Matters

Cc: John Norton

No. of Copies rec'd
List ABCDE

012

¹ In DA 99-968 released May 21, 1999, the FCC granted approval to Tele-Communications, Inc. (predecessor to AT&T Broadband, LLC) to continue to apply the provisions of the Time Warner Social Contract to certain cable systems acquired from Time Warner. On March 9, 1999, AT&T acquired Tele-Communications, Inc. in a merger transaction.



Recycled Paper

AT&T Broadband
Social Contract Progress Report
(For systems acquired from Time Warner Cable)

1999

Summary

On November 30, 1995, the Federal Communications Commission ("FCC") approved Time Warner Cable's ("TWC") Social Contract. The FCC found that the Contract would advance the public interest by: assuring fair and reasonable rates for TWC's cable service customers; facilitating the creation of a low-cost, lifeline basic service level; improving TWC's cable service by substantially upgrading the channel capacity and technical reliability of its cable systems; and reducing the administrative burden and cost of regulation for local governments, the FCC and TWC.

In addition, TWC agreed to extend its public service commitment to education in four general areas: providing one free service connection to every school passed by cable; offering a free monthly educational program listing to each connected school; producing and distributing training materials to facilitate teachers' use of cable's broadband services; and providing a high-speed modem and on-line service to each connected school as that service is launched in TWC markets.

In June 1999, AT&T Broadband, then Tele-Communications, Inc. ("TCI")¹, acquired 23 cable systems from TWC. In DA 99-968 released May 21, 1999, the FCC granted approval to TCI to continue to apply the provisions of the Social Contract to these cable systems. TCI's Social Contract obligations are outlined in a November 25, 1998 "Social Contract Assignment Agreement" between TCI and TWC. In the agreement, which is incorporated and attached to DA-99-968, Time Warner maintains the overall Social Contract capital spending requirement while TCI continues to make the capital expenditures necessary to complete the upgrades.

¹ On March 9, 1999, AT&T acquired Tele-Communications, Inc. in a merger transaction.

Upgrade Requirement

Every cable system covered by the Social Contract is required to be upgraded to 550 MHz or 750 MHz within five years after the effective date of the Social Contract. At least 50% of all customers will be served by a system with a capacity of at least 750 MHz, of which at least 200 MHz is expected to be allocated to digital distribution. Fiber-to-the-node architecture will be deployed to improve the signal quality and reliability of these systems.

1999/2000 Plant Upgrades

As of December 31, 1999, 13 of the 23 systems, representing approximately 63% of the subscribers covered by AT&T Broadband's Social Contract, were receiving upgraded product. The remainder of this report summarizes the upgrade activities that occurred in 1999 and the activity that is projected to occur by system. Refer to Attachment A for a list of the specific local franchise authorities and corresponding CUIDs to which the Social Contract provisions apply.

The **Reading, PA** system upgrade, from 450 MHz to 750 MHz, was completed during 1999. The upgraded system utilizes fiber-to-the-node architecture. The upgrade vastly improved picture quality and system reliability. Approximately 73,000 customers have benefited from this upgrade.

The **Portland, OR** upgrade, from 420 MHz to 750 MHz, began in 1999. Approximately 50% of construction was completed during the year. Fiber-to-node architecture is being used, with the first node scheduled to be turned on in May 2000. When 100% complete, approximately 118,000 customers will benefit from this upgrade.

The **St. Louis, MO** upgrade, from a dual 330 MHz system to 750 MHz, began in 1999. Approximately 60% of construction was completed during the year. Fiber-to-node architecture is being used. Upon completion in 2000, approximately 13,000 customers will be receiving the benefits of the upgrade.

Several upgrades are scheduled to be started and completed during 2000. The **Marietta, PA**, **Pottsville, PA** and **Newport, PA** systems will be upgraded from 450 MHz to 625 MHz, to the benefit of approximately 37,000 customers. The **Cayuga, IL** system will be upgraded from 300 MHz to 550 MHz. This system serves approximately 400 customers. The **DeKalb, IL** and **Rochelle, IL** systems will be upgraded from 450 MHz to 750 MHz, benefiting approximately 18,500 customers. Finally, the **Portage, IN** system will be upgraded from 400 MHz to 550 MHz, with approximately 10,500 customers benefiting.

Attachment A

TCI SYSTEMS

Local Franchising Authority	CUID
Chicago Area	
Village of Bellwood	IL0584
City of Berwyn	IL0360
City of Blue Island	IL0461
Village of Brookfield	IL0606
Cook County (Unincorp.)	IL1185
Village of Crestwood	IL0345
Village of Harwood Heights	IL0876
City of Hickory Hills	IL0344
Village of Melrose Park	IL0352
Village of Midlothian	IL0346
Village of Norridge	IL0607
City of Northlake	IL0397
Village of Orland Hills	IL0447
City of Palos Hills	IL0339
Village of Posen	IL0348
Village of Stickney	IL0446
Village of Tinley Park	IL0349
Will County (Unincorp)	IL1676
Village of Worth	IL0351
DuPage, IL	
Bloomingtondale	IL0725
Carroll Stream	IL0726
DuPage County (Unincorp. Bloomingtondale, Carroll Stream, Itasca, Roselle and Wood Dale)	IL0829
DuPage County (Unincorp. Glendale Heights)	IL0829
DuPage County (Unincorp.)	IL0829
Village of Glendale Heights	IL0404

Local Franchising Authority	CUID
Itasca	IL0727
Roselle	IL0728
Wood Dale	IL0729
Portage, IN	
Portage	IN0228
Ogden Dunes	IN0421
Burns Harbor	IN1058
Porter County	IN1057
Canonsburg, PA	
Borough of Canonsburg	PA0064
Cecil Township	PA0689
Chartiers Township	PA0065
Township of Fallowfield	PA3133
Borough of Houston	PA0066
Township of North Strabane	PA0067
Nottingham Township	PA3039
Borough of Oakdale	PA0799
Somerset Township	PA3040
South Fayette Township	PA0798
Coraopolis, PA	
Borough of Coraopolis	PA0057
Crescent Township	PA0058
Township of Findlay	PA1971
Greater Pittsburgh AFB	PA2615
Township of Moon	PA0059
Township of Neville	PA0060
North Fayette Township	PA1873
Levittown, PA	
Bristol Borough	PA0356
Bristol Township	PA0355
Borough of Hulmeville	PA1915

Local Franchising Authority	CUID
Borough of Langhorne Manor	PA1916
Borough of Langhorne	PA1917
Lower Makefield Township	PA1972
Middletown Township	PA0357
Borough of Pennel	PA0358
Yardley Borough	PA1874
Sheridan, WY	
City of Sheridan	WY0010
Sheridan County	WY0057
St. Louis, IL	
Village of Bel Nur	MO0297
Village of Bel Ridge	MO0298
Village of Bellerive Acres	MO0296
City of Berkeley	MO0299
City of Beverly Hills	MO0365
Village of Calverton Park	MO0300
Village of Cool Valley	MO0301
City of Dellwood	MO0302
City of Ferguson	MO0303
Village of Glen Echo Park	MO0304
City of Greendale	MO0305
Village of Hillsdale	MO0306
City of Normandy	MO0307
Village of Norwood Court	MO0308
City of Pagedale	MO0309
Village of Pasadena Hills	MO0310
Village of Pasadena Park	MO0311
Village of Uplands Park	MO0312
City of Velda Village Hills	MO0314
City of Velda Village	MO0313

Local Franchising Authority	CUID
Village of Vinita Terrace	MO0315
Avalon, NJ	
Borough of Avalon	NJ0022
Middle Township	NJ0023
City of Sea Isle City	NJ0024
Borough of Stone Harbor	NJ0025
Upper Township	NJ0109
Champaign/Urbana, IL	
Village of Bondville	IL1074
Champaign County	IL0541
City of Champaign	IL0189
Village of Savoy	IL0540
City of Urbana	IL0190
Danville, IL/IN	
City of Danville, IL	IL0021
Village of Fairmount, IL	IL0963
Village of Fithian, IL	IL0694
Village of Indianola, IL	IL1442
Village of Muncie, IL	IL0965
Village of Oakwood, IL	IL0547
Vermillion County, IL	IL0449
Town of Cayuga, IN	IN0506
Fountain County (Silverwood), IN	IN0930
Parke County (Lodi), IN	IN0931
Vermillion County (Eugene), IN	IN0507
DeKalb/Rockdale, IL	
DeKalb County	IL1637
City of DeKalb	IL0006
City of Sycamore	IL0007
Village of Creston	IL0602
Village of Hillcrest	IL0247

Local Franchising Authority	CUID
Ogle County	IL1640
City of Rochelle	IL0019
Hamburg, PA	
Lenhartsville Borough	PA2808
Greenwich Township	PA2809
Shoemakersville Borough	PA0306
Hamburg Borough	PA0304
Centerport Borough	PA2594
Perry Township	PA1835
Port Clinton Borough	PA0447
Tilden Township	PA2438
Windsor Township	PA1551
Centre Township	PA0305
Bern Township	PA2811
Leesport Borough	PA1254
Maidencreek Township	PA3189
West Brunswick Township	PA3190
Ontelaunee Township	PA1836
Lebanon, PA	
East Hanover Township	PA2805
Myerstown Borough	PA1252
Jackson Township	PA2133
Mt. Gretna Borough	PA2131
West Cornwall Township	PA2137
North Cornwall Township	PA1116
South Londonderry Township	PA2135

Local Franchising Authority	CUID
South Lebanon Township	PA1158
South Annville Township	PA1275
Bethel Township	PA2130
Union Township	PA2136
North Annville Township	PA2803
Jackson Township II	PA3196
Swatara Township	PA1431
Jonestown Borough	PA1405
Cornwall Borough	PA2132
West Cocalico Township	PA3214
Heidelberg Township/Schaefferstown Borough	PA1457
Mill Creek Township	PA1428
Richland Borough	PA1427
Elizabeth Township	PA3170
North Lebanon Township	PA0351
Cleona Borough	PA0349
Annville Township	PA1104
West Lebanon Township	PA0829
Rapho Township	PA3197
Lebanon City	PA0350
Clay Township	PA3315
Marietta, PA	
Rapho Township	PA1529
Marietta Borough	PA0228
East/West Hempfield Township	PA0238

Local Franchising Authority	CUID
West Donegal Township	PA0239
Mountville Borough	PA0232
Mount Joy Township	PA0321
Mount Joy Borough	PA1696
Elizabethtown Borough	PA0225
East Donegal Township	PA1528
Conoy Township	PA2165
Newport, PA	
Greenwood Township	PA2489
Newport Borough	PA0233
Howe Township	PA2488
Oliver Township	PA1561
Center Township	PA3299
Juniata Township	PA3124
Millerstown Borough	PA3171
Tuscarora Township	PA3213
Buffalo Township	PA3298
Liverpool Township	PA3336
Susquehanna Township	PA3337
Pottsville, PA	
Pine Grove Township	PA1975
Pine Grove Borough	PA0443
Tremont Township	PA3109
Minersville Borough	PA0454
Washington Township	PA2802

Local Franchising Authority	CUID
Wayne Township	PA1913
West Brunswick Township	PA3172
Schuylkill Haven Borough	PA0457
City of Pottsville	PA0456
Orwigsburg Township	PA0455
Norwegian Township	PA1723
Mount Carbon Borough	PA3238
Mechanicsville Borough	PA1908
Landingville Borough	PA1905
East Norwegian Township	PA2936
New Castle Township	PA3239
Cass Township	PA1906
Branch Township	PA1914
North Manheim Township	PA1909
Cressona Borough	PA0450
Reading, PA	
Temple Borough	PA0767
Lower Alsace Township	PA0003
Wyomissing Hills Borough	PA0015
Laureldale Borough	PA0002
Kenhorst Borough	PA0008
Cumru Township	PA0007
Lower Heidelberg Township	PA1350
Alsace Township	PA0766
Wernersville Borough	PA0973

Local Franchising Authority	CUID
City of Reading	PA0006
Mount Penn Borough	PA0004
Bernville Borough	PA2795
Oley Township	PA2603
Brecknock Township	PA2605
Ruscombmanor Township	PA2604
West Reading Borough	PA0014
Wyomissing Borough	PA1241
Centre II Township	PA3151
Penn Township	PA3149
Muhlenberg Township	PA0005
Jefferson Township	PA2797
North Heidelberg Township	PA3148
Robesonia Borough	PA1430
Tilden II Township	PA3150
Bern Township	PA2164
South Heidelberg Township	PA1538
Maidencreek Township	PA2801
Upper Tulpehocken Township	PA2961
Womelsdorf Borough	PA1414
Ontelaunee Township	PA2800
Marion Township	PA2138
Bethel Township	PA3191
Spring Township	PA0012
Tulpenhocken Township	PA3193

Local Franchising Authority	CUID
Upper Bern Township	PA2865
Heidelberg Township (Berks)	PA3187
West Lawn Borough	PA0013
Mohnton Borough	PA0009
Sinking Spring Borough	PA0765
Shillington Borough	PA0011
Exeter Township	PA0001
Strausstown Borough	PA2867
Reading, PA	
Armagh Township	PA1520
Brown Township	PA1527
Portland, OR	
Portland/Portland	OR0241
Linnton/Portland	OR0366
Happy Valley/Portland	OR0364
Fairview	OR0308
Gresham	OR0305
Multnomah County (Unincorp. East)	OR0334
Troutdale	OR0307
Wood Village	OR0306
Clackamas County	OR0449